

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

BOBBY HERRON

PETITIONER

v.

No. 1:11CV79-D-S

WARDEN JESSIE STREETER, ET AL., ET AL.

RESPONDENTS

FINAL JUDGMENT
ADOPTING REPORT AND RECOMMENDATION

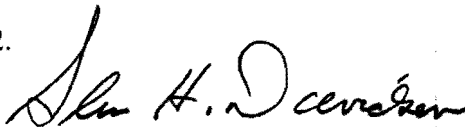
Upon consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated November 22, 2011, was on that date duly served by mail upon the *pro se* petitioner at his last known address; that more than ten days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated November 22, 2011, is hereby **APPROVED AND ADOPTED** as the opinion of the court.

2. That the instant petition for a writ of *habeas corpus* is **TRANSFERRED** to the Fifth Circuit Court of Appeals in accordance with 28 U.S.C. § 2244(a) and (b)(3)(c), and *In re Epps*, 127 F.3d 364, 365 (5th Cir. 1997).

THIS, the 21st day of February, 2012.



SENIOR JUDGE